7408916/2023/VIGILANCE-ESE01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PSs - School Education - Smt P.Sailaja, District Educational Officer, Guntur District - Departmental Proceedings under rule 20 of APCS (CCA) Rules, 1991 - Articles of Charge - Issued.

SCHOOL EDUCATION (VIG) DEPARTMENT

G.O. Rt. No.75 **Dated:18.05.2023**

ORDER:-

It is proposed to hold an enquiry against Smt P.Sailaja, District Educational Officer, Guntur District, in accordance with the procedure laid down in A.P. Civil Service (CCA) Rules 1991.

2. The substance of the imputations of misconduct in respect of which the inquiry is proposed to be held set out in the enclosed statement of Articles of Charge (Annexure-I). A Statement of imputations of misconduct in support of articles of Charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed. (Annexure – III & IV).

3 Smt P.Sailaja, District Educational Officer, Guntur District is directed to submit a written statement of her defence within 10 days from the date of receipt of this order.

4. Smt P.Sailaja, District Educational Officer, Guntur District is informed that an enquiry will be held only in respect of those articles of charge as are not admitted. She should therefore specifically admit or deny articles of charge.

5. Smt P.Sailaja, District Educational Officer, Guntur District is further informed that if she does not submit her written statement of defence within the stipulated period, further action will be processed based on the material available.

6. Smt P.Sailaja, District Educational Officer, Guntur District is invited to rule 24 of the AP Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interests in respect of matters pertaining to her service under the Government. If any representation is received on those behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that she is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of rule 24 of A.P. Civil Service (conduct) rules 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt P.Sailaja, District Educational Officer, Guntur District through the Commissioner of School Education, A.P., Ibrahimpatnam.
The Commissioner of School Education, A.P.,Ibrahimpatnam. (with a request to serve the orders on the individual and furnish served copy to the Govt., immediately).

Copy to:
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER

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ANNEXURE-I

Statement of Articles of charge framed against Smt P.Sailaja, District Educational Officer, Guntur District.

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Articles of Charge:

That the said Smt P.Sailaja, District Educational Officer, Guntur, failed to take action as per the orders dated:16.08.2022 of the Hon'ble High Court in WP.No.25552/2022 filed by Smt Y.Bhulakshmi, SGT, MPUPS, Nindujerla(V), Atchampeta Mandal, Palnadu District, and as per instructions of the Government and the Commissioner of School Education thereon, which leads to have Contempt Case to the Higher Authorities and also much inconvenience to the Higher Authorities.

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PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-II

Statement of Imputations of misconduct or misbehaviour in support of the articles of charge framed against Smt P.Sailaja, District Educational Officer, Guntur District.

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That the said Smt P.Sailaja, District Educational Officer, Guntur, failed to implement the orders of the Hon'ble High Court orders in WP.No.25552/2022 filed by Smt Y.Bhulakshmi, SGT, MPUPS, Nindujerla(V), Atchampeta Mandal, Palnadu District, and with inordinate delay which leads to contempt case to the Higher Authorities and also much inconvenience to the Higher Authorities.

Thus, it shows negligence and exhibited lack of integrity, dereliction of duty, slack supervision and conduct which is un-becoming of a Government servant and thereby contravened Rule 3(1), 3(3) & 3(4) of the APCS (Conduct) Rules, 1964.

Basis of the Charge:

Smt Y.Bhulakshmi, SGT, MPUPS, Atchampeta Mandal, Palnadu District, has filed a Writ Petition No.25552/2022 before Hon'ble High court seeking directions to retain and transfer her to the Tadepalli Mangalari Muncipal Corporation as SGT in the clear existing vacancy as it was done in the case of similarly situated persons (Teachers) vide order dt.11.07.2022 in Rc.No.4427/B2/2022.

The Hon'ble High Court has passed orders in Writ Petition No.25552/ 2022, dated:16.08.2022, as extracted below:

"-------- directs the petitioner to file a fresh representation before the respondent authorities and the respondents are directed to consider the representation within eight (08) weeks from the date of receipt of this orders, in accordance with Law."

Govt., vide Memo No.18367/Ser.II/A1/22,SE(Ser.II), dt.25.09.2022, have requested to take necessary action on the orders of the Hon'ble High Court in WP.No.25552/2022 filed by Smt. Y.Bhulakshmi, SGT as per rules in force duly safeguarding the interest of the Government to avoid legal complications in the matter.

The Commissioner of School Education has further instructed the DEO, Guntur to take necessary action on the orders of the Hon'ble High Court in WP.No.25552/2022 and said Writ Petition should not be escalated to the level of Contempt of Court in which responsibility shall be fixed on the concerned and the action shall be initiated as per APCS (CC&A) Rules, 1991.

Smt P.Sailaja, District Educational Officer, Guntur, without disposing the representation of the petitioner, has forwarded the said representation to the O/o CSE to issue necessary orders on the representation of the petitioner.

The Petitioner has filed Contempt Case No.4597 of 2022 before the Hon'ble High Court in which Hon'ble HC dated 31.10.2022 has issued Show cause "Notice before Admission".

Government vide notice orders in the e-file No.ESE01-SEDN0CSE/1289/2022-Sir-II., have instructed the CSE to initiate disciplinary action against the DEO, Guntur, for not following the orders of Higher authorities and not implementing the Hon'ble High Court orders in W.P.No.25552/2022 filed by Smt. Y.Bhulakshmi, SGT, MPUPS, Nindujirla(V), Atchampeta Mandal, Palnadu District on time, which lead to Contempt Case.

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By her above mentioned acts, exhibited lack of integrity, devotion to duty, slack supervision and conduct which is un-becoming of a Government servant and thereby contravened Rule 3(1), (3) & (4) of the APCS (Conduct) Rules, 1964.

PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

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ANNEXURE-III

List of Documents by Which the Article of Charges Framed against Smt P.Sailaja, District Educational Officer, Guntur District are proposed to be sustained.

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1. GO.Ms.No.467/GA (SER.C) Dept. dated:14.09.1992.
2. GO.Ms.No.411 GAD dated:20.07.1993.
3. GO.Ms.No.296 Fin. & Plg. Dept. dated:14.10.1996.
4. CC.No.4597/2022 on 31.10.2022 in WP.No.25552/2022 orders dated: 16.08.2022 of the Hon'ble High court of A.P.

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ANNEXURE-IV

List of witness by which the Article of Charges Framed against Smt P.Sailaja, District Educational Officer, Guntur District are proposed to be sustained.

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-----NIL----

PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER